The Examiner then states that a "(modulus 16 check digit Luhn algorithm) to convert hexadecimal digits to decimal digits and to calculate check bit is well known in the art". The Examiner's statement is disagreed with. Reference to the enclosed Annex B of ANSI/ISO/IEC 7812-1-1993 clearly shows that the Luhn formula is based on modulus ten computations, not modulus 16 or hexadecimal computations.

Further, the applicant has not admitted at page 6, lines 4-9, that the conventional Luhn Check Digit computation is one based on modulus 16 arithmetic. Note instead page 5, lines 14-24, where the applicant states that:

> "In accordance with the teachings herein the IMEI is modified so as to have at least a six digit hexadecimal (base 16) SNR representation, and the procedure executed by the unit 35 is modified to utilize the Luhn Algorithm so as to insure backwards compatibility with the existing installed base of mobile stations, having the six digit BCD SNR representation.
>
> More particularly, the check digit calculating procedure is modified so that hexadecimal digits A, B, C, D, E and F are first converted to decimal digits 10, 11, 12, 13, 14 and 15, respectively, and the unit 35 then computes the check bit using the original check bit calculation algorithm (Luhn Algorithm).
>
> Alternatively, the Luhn Algorithm may be modified to use base 16 for all calculations to derive a base 16 check digit."

When page 6, lines 4-9, is read in context, it is clear that the applicant has not admitted that the conventional Luhn Check Digit computation is one based on modulus 16 arithmetic.

It is respectfully submitted that one skilled in the art, when presented by the disclosure of Lannen et al., as it pertains to a prior art ESN expressed in 8 ASCII hex digits (end of column 18), and the prior art modulus 10 Luhn formula (Annex B of ANSI/ISO/IEC 7812-1-1993), would not be lead to the subject matter found in claim 1, i.e., a mobile station:

> "comprising a memory device for storing an International Mobile Equipment Identity (IMEI) code having at least a six digit hexadecimal Serial Number (SNR) representation, wherein said SNR is used with a hexadecimal check digit calculation procedure so as to insure backwards compatibility with an existing installed base of mobile stations having a Binary Coded Decimal (BCD) SNR representation." (emphasis added)

In that claim 1 is clearly patentable over the prior art relied on by the Examiner, then claims 2 and 3 are patentable as well.

The Examiner is respectfully requested to reconsider and remove the rejection of claims 1-3, and to also allow these claims along with already allowed claims 4 and 5.

The attached page shows the changes made to specification.

A favorable reconsideration that results in the withdrawal of the rejection and in the allowance of all of the pending claims is thus earnestly solicited.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Victoria Tucker NOV. 25, 2002
Name of Person Making Deposit Date

VERSION SHOWING CHANGES MADE

Amend the application as follows:

In the Specification:

At page 3, line 28, to page 4, line 2, rewrite as follows:

Fig. 4 is a logic flow diagram showing a method in accordance with the invention; ~~and~~

Fig. 5 presents an example of the calculation of the Check Digit in accordance with the method shown in Fig. 4, and further in accordance with the teachings of this invention; and

Fig. 6 illustrates the Luhn algorithm or formula for computing a modulus 10 check digit, in accordance with the prior art.

At page 6, rewrite the paragraph at lines 4-9 as follows:

The method for computing the Luhn check digit is defined in Annex B of the International Standard ~~"Identification cards-Numbering system and registration procedure for issuer identifiers"~~ "American National Standard for Identification Cards-Identification of Issuers-Part 1: Numbering System" (ANSI/ISO/IEC 7812-1-1993), ~~incorporated by reference herein in its entirety~~ as shown in Fig. 6. In accordance with an aspect of these teachings, the modulus 16 Luhn Check Digit is identical to the conventional procedure, except that the number base is transformed from base 10 to base 16.